

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

PAULA SCHWERDTFEGER and  
CHADWICK PAUL SCHWERDTFEGER,

Appellants,

v.

Case No. 13-C-085

ALLEN L. PETRIE and GAYLE M. PETRIE,

Appellees.

---

**ORDER DISMISSING APPEAL**

---

As recounted in the court's previous order on March 29, 2013, this brief appeal has suffered from numerous errors, and it appears that errors continue. The Schwerdtfegers who appealed the order denying them a discharge of the Petries' claim, failed to file with the clerk or serve on the Petries a designation of the items to be included in the record on appeal and a statement of the issues to be presented, all of which is required by Rule 8006 of the Federal Rules of Bankruptcy Procedure. In addition, a transcript of the trial has not been filed in accordance with Rule 8007. Per the court's order, the Schwerdtfegers had 10 days from March 29, or until April 9, 2013, in which to file with the clerk and serve on the Petries a designation of the items to be included in the record on appeal and a statement of the issues to be presented. They have failed to do so.

Due to the Schwerdtfegers' failure to comply with the Federal Rules of Bankruptcy Procedure and this court's order earlier order directing them to do so, I conclude that the sanction of dismissal is appropriate. *See In re Matter of Scheri*, 51 F.3d 71, 75 (7th Cir. 1995). Appellants were warned that their failure to comply with the rules within the time allowed could result in

dismissal of their appeal. They have offered no reason for their failure to comply. Neither the appellees nor the court should be required to continue to expend time and resources on an appeal when the appellants have repeatedly failed to take the steps needed for review of the bankruptcy court's decision. Accordingly, this appeal is dismissed with prejudice.

**SO ORDERED** this 17th day of April, 2013.

s/ William C. Griesbach  
William C. Griesbach, Chief Judge  
United States District Court